

BARCLAY DAMON ^{LLP}

Payne R. Horning
Associate

June 30, 2023

VIA CM/ECF

Hon. Brenda K. Sannes
United States District Court
Northern District of New York
Federal Building and U.S. Courthouse
P.O. Box 7336
Syracuse, New York 13261

**Re: Jane Doe v. Syracuse University
5:18-cv-1100 (BKS) (TWD)**

Dear Judge Sannes:

As you know, our office represents the defendant, Syracuse University (the “University”), in the above-referenced matter.

On June 14, 2023, the Court issued a Text Order requiring Plaintiff to respond by June 28, 2023 to the University’s “assertion that she has not complied with the Court’s 4/17/23 Text Order,” and “[i]f Plaintiff has not complied with the Court’s 4/17/23 Text Order, . . . to show cause why this action should not be dismissed under Fed. R.Civ. P. 41(b) for failure to prosecute and failure to comply with Court Orders.” Dkt. No. 91.

Please be advised that it appears Plaintiff has not complied with the Court’s directive, as the University has not received a copy of Plaintiff’s response by mail or e-mail.¹

In light of Plaintiff’s failure to comply with the Court’s June 14 Text Order, it is respectfully requested that the Court dismiss Plaintiff’s Complaint based on her repeated failure to comply with the Court’s directives and her failure to prosecute this action.

Thank you.

Respectfully,

s/Payne Horning

Payne R. Horning
Bar Roll No. 704170

cc: Jane Doe (by e-mail)

¹ The University notes for the record that it has complied with the Court’s order set forth in its June 14 Text Order directing the University to serve a copy of the Court’s June 14 Text Order on Plaintiff by e-mail. Dkt. No. 92.